

current amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE"

RESTRICTION REQUIREMENT:

Responsive to the Restriction Requirement mailed July 20, 2001 in the above-referenced patent application, Applicants hereby elect Invention I, claims 1-3, drawn to a method of inhibiting the generation of ceramide from sphingomyelin, with traverse.

The Applicants hereby traverse the Restriction Requirement mailed July 20, 2001. The Examiner argues that Invention I, II and III are directed to distinct and multiple methods. The statements of the Examiner notwithstanding, Applicants assert that the method of Inventions II and III are specific embodiments of the method of Invention I. All three Inventions share a common mechanism in the use of basic fibroblast growth factor to inhibit ceramide generation from sphingomyelin to achieve the claimed ends. To clarify this point, claims 4 and 10 have been amended herein.

Since all three inventions use the same mechanism, Applicants submit that there is a basis unity between Inventions I, II and III. Therefore, it would not unduly burden the Examiner to

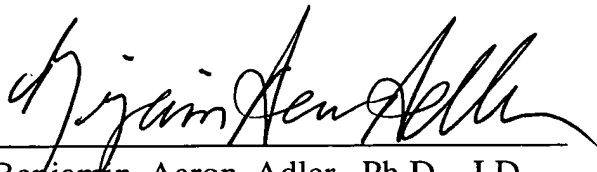
perform a search encompassing claims 1-7 and 10 as a search of prior art directed to one Invention will necessarily reveal prior art related to the others. Therefore, Applicants respectfully request that the Restriction Requirement be withdrawn and that claims 1-7 and 10 be examined on their merits.

This is intended to be a complete response to the Office Action mailed July 20, 2001. If any issues remain outstanding, the Examiner is respectfully requested to telephone the undersigned attorney of record for immediate resolution. Should any additional fees be due, please debit Deposit Account 07-1185.

Respectfully submitted,

Date:

August 20, 2001



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IN THE CLAIMS:

Claim 4 has been amended as follows:

4. (amended) A method of treating a pathophysiological state characterized by endothelial apoptosis resulting from increased generation of ceramide from sphingomyelin, comprising the administration of a pharmacologically effective dose of a basic fibroblast growth factor to said animal.

Claim 10 has been amended as follows:

10. A method of treating an individual at risk for sepsis, comprising the step of administering ~~to said individual~~ a pharmacologically effective dose of a basic fibroblast growth factor to said individual to inhibit generation of ceramide from sphingomyelin to prevent endothelial apoptosis resulting from sepsis.

Claims 8 and 9 have been cancelled.